

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

**ORDER GRANTING ORAL MOTION TO WITHDRAW
MOTION TO WITHDRAW FUNDS AND CHANGE BANKS**

On March 29, 1996, the District Court signed an “Order Establishing Section 142 Trust” (D.E. 180). In a trust decree attached to the order, Mercantile Bank, N.A., agreed to accept the responsibility for administering the trust for Alisha Danielle Castillo, the minor beneficiary of a settlement award in this case (D.E. 180). Wells Fargo Bank is now responsible for administering the trust.¹

On January 23, 2006, the mother of the minor child, Norma Castillo, filed a motion titled “Plaintiff’s motion to withdraw funds and request to change banks” (D.E. 234). In the motion she requests funds for a computer and for eye glasses for the minor child Alisha. Mrs. Castillo

¹ “If the Trustee of the Trust created under this Trust Agreement should, before or after qualification, change its name, be reorganized, merged or consolidated with, or acquired by any other corporation, or be converted into or assign its trust functions to a different type of entity, the resulting entity shall be deemed a continuation of the former one and shall continue to act as Trustee of such Trust or continue to be eligible to become a trustee of such Trust, as the case may be” (D.E. 180, Trust Decree ¶ 4.5).

also requests that the trust make her car payments because she needs transportation to get her daughter to the doctor. Finally, Mrs. Castillo asks that the trust be revoked and a local bank in Edinburgh be named as trustee. The motion was referred to undersigned United States Magistrate Judge.

On February 8, 2006, a telephonic hearing was held. During the hearing Mrs. Castillo asked to withdraw her motion. The oral motion is granted, and the motion (D.E. 234) is deemed withdrawn.

ORDERED this 13th day of February, 2006.



B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE